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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,937	03/11/2004	Richard Barnett Allen	AUS920030983US1	6911

35525 7590 01/25/2007
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EXAMINER

ONI, OLUBUSOLA

ART UNIT	PAPER NUMBER
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2168

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/25/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/798,937	ALLEN ET AL.	
	Examiner	Art Unit	
	OLUBUSOLA ONI	2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4,6-11,14-18 and 20-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,6-11,14-18 and 20-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on October 23, 2006 has been entered. Claims 1,3, 4, 7, 8, 10, 11, 14-15 and 17-18 have been amended. Claims 5, 12 and 19 have been cancelled. Claims 21-23 are new.
2. New grounds of rejection are based on newly amended claims.

Objection

Claim 8 recites "a webpage, the computer program produce" instead of "the computer program product". However, appropriate correction is needed.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3, 4, 6-7, 8, 10, 11, 13-15 and 17-23 rejected under 35 U.S.C. 102(e) as being anticipated by Natasa Milic-Frayling et al. (Pub. No: US 20060059138) (hereinafter Natasa).

For claim 1, Natasa teaches "receiving a hierarchical data of interests identified by a user ([0055], [0063], [0087-0088]); storing the hierarchical data set of interests in a database entry associated with the user" ([0058-0059]) parsing the

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hierarchical data set; extracting one or more keyword attribute values from the hierarchical data set in response to the parsing of the data set and a pre-selected granularity value ([0052-0055], [0063]); applying extracted keyword values to filter content for delivery to the user ([0052-0055]) "delivering a webpage that is personalized for the user according to the identified interest" ([0061-0063])

For claim 3, Natasa teaches "pre-populating a Web content search form page using extracted keyword values; and returning the Web content search form page to the requesting to the user"([0083-0084] include users providing a description of their interest through a dialog box, search page, in a separate window or a search box (search form page). However, an analysis engine receives the query and context information and provides a the users with their interest as specified).

For claim 4, Natasa teaches "receiving the Web content search form from the user, wherein the received search form includes one or more pre-populated data, zero or more additional user-supplied search terms and at lease one Boolean search indicator for determining the combination of search terms for performing a search"([0059, 0083-0084]wherein Natasa's teachings include a search engine or search window or box for searching based on users search terms or based on users interest. However, a user can also request that documents be analyzes based on company and persons names, (which indicates the use of Boolean words for the search)

For claim 6, Natasa teaches "wherein, if no keyword attribute is associated with an interest, using a value attribute of the interest as a default keyword" ([0008], [0060] wherein Natasa's teachings include searching based on users identified interest. However, using a keyword attribute or value attribute as the users specified interest reads on Natasa's teaches because as long as the users specifies the interest the search will be based on the specified interest, be it keyword or value attributes)

For claim 7, Natasa teaches "wherein the pre-selected granularity value corresponds to a root-to-leaf level in the hierarchical data set of user-identified interests"([0087-0088] wherein documents of a ranked for top to bottom based on their relevance scores and based on relevance indicated by users as the users interests)

For claims 8 and 15, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 1 and are similarly rejected.

For claims 10 and 17, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 3 and are similarly rejected.

For claims 11 and 18, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 4 and are similarly rejected.

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For claims 13 and 20, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 6 and are similarly rejected.

For claim 14, this claim is rejected on grounds corresponding to the arguments given above for rejected claim 7 and is similarly rejected.

For claim 21, Natasa teaches " wherein the webpage is a portal page associated with the user and provided by the portal"([0062] wherein a webpage is presented to the user which includes hyperlinks and URLs.)

For claims 22-23, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 21 and are similarly rejected.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

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Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 9 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Natasa Milic-Frayling et al. (Pub. No: US 20060059138) (hereinafter Natasa) in the view of Serbinis et al. (Patent. No. U.S. 6, 584,466)

For claim 2, Natasa does not explicitly teach "wherein the hierarchical data set comprises an XML"

However, Serbinis teaches "wherein the hierarchical data set comprises an XML" (Col. 15, lines 64-Col. 16, lines 1-9, fig.3)

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Natasa with Serbinis teaches of storing, retrieving or modifying documents of special interest to users, which could be retrieved as an XML document (Col. 2, lines 22-44, Col. 15, lines 64-Col. 16, lines 1-9).

For claims 9 and 16, these claims are rejected on grounds corresponding to the arguments given above for rejected claim 2 and are similarly rejected.

Response to Amendment

6. Applicant's argument filed October 23, 2006 has been fully considered but they are not persuasive. The examiner respectfully traverses applicant's

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arguments. For claim 1, applicant argued that Hegli does not teach “receiving a hierarchical data of interests identified by a user” and delivering a webpage that is personalized for the user according to the identified interests”. However, based on newly amended claims Natasa’s teachings at paragraph 0055 includes receiving documents with their scores and alternatively ranked based on users interest specified. Paragraph 0063 of Natasa’s teachings also teaches ranking and analyzing of documents based on the users specified interest are been received. Natasa also teaches “delivering a webpage that is personalized for the user according to the identified interest” Natasa teaches at paragraph 0061-0063, wherein a user may be presented with URLs by a web service as a result of the user’s interest. Documents are downloaded by the browser which are processed by the information highlighting facility in view of the users interests, however the result of the information highlighting facility processing are displayed to fit the users interest, thus teachings are synonymous.

Natasa also teaches “storing the hierarchical data set of interests in a database entry associated with the user” Natasa’s teachings at paragraph 0058-0059 includes storing analysis of documents performed based on users request and users interest specified, wherein a user can specify that documents be analysed for the company and persons name (users interest) and later stores the analysis for the specific user. Paragraph 0065 of Natasa’s teachings also include searching based on users interest sent via a browser, however, information about the documents are stored. Likewise Natasa also parses and extracts keywords from the documents, such as highlighting words in the documents at

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paragraph 0052-0055, 0063. Natasa's teachings also include "applying extracted keyword values to filter content for delivery to the user" However, at paragraph 0052-0055, Natasa's teachings include highlighting relevant information in the document, which also helps in the determination of a relevant document to be delivered to the user.

For claim 3, applicant also argued that Hegli teaches "pre-populating a Web content search form page using extracted keyword values; and returning the Web content search form page to the requesting to the user". However, Natasa's teachings at 0083-0084 include users providing a description of their interest through a dialog box, search page, in a separate window or a search box (search form page). However, an analysis engine receives the query and context information and provides the users with their interest as specified.

For claim 7, applicant also argued that Hegli does not teach "wherein the pre-selected granularity value corresponds to a root-to-leaf level in the hierarchical data set of user-identified interests". However, Natasa teaches at paragraph 0087-0088 wherein documents of a ranked for top to bottom based on their relevance scores and based on relevance indicated by users as the users interests.

Applicant also argued that both Hegli and Serbinis do not teach claims 2, 9 and 16. However, based on newly amended claims, Natasa teaches claims 1, 8 and

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15 which claims 2, 9 and 16 are depend on. However, Natasa does not explicitly teach "wherein the hierarchical data set comprises an XML".

However, Serbinis teaches at Col. 15, lines 64-Col. 16, lines 1-9& fig. 3 "the hierarchical data set comprises an XML".

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Natasa with Serbinis teaches of storing, retrieving or modifying documents of special interest to users, which could be retrieved as an XML document.

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CONCLUSION

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to OLUBUSOLA ONI whose telephone number is 571-272-2738. The examiner can normally be reached on 10.00-6.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIM VO can be reached on 571-272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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